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UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

LIFE TECHNOLOGIES CORPORATION,

Case No.: 3:10-cv-02665 JAH (MDD)

Plaintiff,

**NOTICE OF WITHDRAWAL OF
MOTION**

vs.

BIOSEARCH TECHNOLOGIES, INC.,

**Courtroom: 11
Judge: John A. Houston**

Defendant.

BIOSEARCH TECHNOLOGIES, INC.,

Counterclaimant,

vs.

LIFE TECHNOLOGIES CORPORATION,

Counterclaim-Defendant.

1 TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

2 PLEASE TAKE NOTICE THAT pursuant to Civil Local Rule 7-7(e) and the directive
3 of this Court's clerk, Plaintiff and Counterclaim-Defendant LIFE TECHNOLOGIES
4 CORPORATION ("Life Technologies") hereby withdraws without prejudice its Motion to
5 Dismiss Counterclaims of Defendant and Counterclaimant BIOSEARCH TECHNOLOGIES,
6 INC. (Dkt. No. 18), which was filed on April 25, 2011, and was scheduled for hearing on
7 Monday, June 20, 2011 at 2:30 p.m. in Courtroom 11. That Motion was directed to the original
8 Answer to Complaint and Counterclaims (Dkt. No. 13) in this matter, which was subsequently
9 superseded by Biosearch's First Amended Answer to Complaint and Counterclaims (Dkt No.
10 22), filed on May 16, 2011. Life Technologies is concurrently filing its Motion to Dismiss
11 First Amended Counterclaims, which will be set for hearing on August 8, 2011.

12 Dated: May 31, 2011

KRIEG, KELLER, SLOAN, REILLEY & ROMAN LLP

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By: /s/Kenneth E. Keller

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KENNETH E. KELLER

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Attorneys for Plaintiff and Counterclaim-Defendant
LIFE TECHNOLOGIES CORPORATION

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